

## **REMARKS/ARGUMENTS**

The Applicant thanks the Examiner for the Official Action dated January 3, 2006.

In response to the Examiner's Office Action of January 3, 2006 the Applicant submits the accompanying amendment to the claims and the following remarks.

### ***Regarding Amendment***

In the Amendment:  
dependent claims 5 and 15 are amended to replaced "the width" with --a width--, as required by the Examiner; and  
pending claims 1-4, 6, 10-14, 16, 20, 31-36 and 40 are unchanged.

### ***Regarding Information Disclosure Statement***

The Examiner's advisement regarding an IDS apparently submitted August 5, 2004 is noted. However, the Applicant's records show that no such IDS was filed.

### ***Regarding Claim Objections***

It is respectfully submitted that the above described amendments of pending claims 5 and 15 provide sufficient antecedent basis in these claims.

### ***Regarding Provisional Non-Statutory Double Patenting Rejections***

With respect to the provisional non-statutory double patenting rejection of pending claims 1, 5, 6, 10, 11, 15, 16, 20, 31, 35, 36 and 40 over claims 1, 3, 4, 8, 9, 11, 12, 16, 25, 27, 28 and 32 of copending Application No. 10/728,783, a terminal disclaimer in compliance with 37 C.F.R. 1.321(c) is being submitted herewith; the present application and Application No. 10/728,783 being commonly owned by the Applicant.

### ***Regarding 35 USC 103(a) Rejections***

It is respectfully submitted that contrary to the Examiner's contentions, the publication of copending Application No. 10/728,783 is not prior art against the present application applicable under 35 USC 102(e), and therefore under 35 USC 103(a), because both the present application and Application No. 10/728,783 share an even filing date of December 8, 2003, and also an even, effective filing date of December 2, 2002, the benefit of which is claimed under 35 USC 120 from parent Application No. 10/307,330 in both the present application and Application No. 10/728,783.

Accordingly, the Examiner is respectfully requested to withdraw the current claim rejections under 35 USC 103(a).

It is respectfully submitted that the all of the Examiner's objections and rejections have been traversed. Accordingly, it is respectfully submitted that the present application is in condition for allowance and reconsideration is respectfully requested.

Very respectfully,  
Applicant:



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KIA SILVERBROOK

C/o: Silverbrook Research Pty Ltd  
393 Darling Street  
Balmain NSW 2041, Australia

Email: [kia.silverbrook@silverbrookresearch.com](mailto:kia.silverbrook@silverbrookresearch.com)

Telephone: +612 9818 6633

Facsimile: +61 2 9555 7762